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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,856	03/09/2004	Chin-Ching Hsien	J5P4015-GFP-922362	1260

46691 7590 09/22/2005

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EXAMINER

GRANT, ALVIN J

ART UNIT	PAPER NUMBER
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3723

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Sp

Office Action Summary	Application No. 10/795,856	Applicant(s) HSIEN, CHIN-CHING	
	Examiner Alvin J. Grant	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - Page 2, line 11, change “can bend the drive piece” to read, “can adjust the drive piece”.
 - Page 3, line 23, change “a description will be described” to read, “a description will be provided”.
 - Page 4, line 9, item 124 is referred to as “a C-shaped gripping plate”.However Fig. 1 shows item 124 to be a closed ring.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-4** are rejected under 35 U.S.C. 102(e) as being anticipated by Hsien 2003/0188608.

Hsien discloses a socket wrench for ratchet wheel sockets, comprising: a handle (20) having a recess at a first terminal thereof, an empty space between a pair of ear portion

defining the recess, each of the ear portions being provided with an axial hole, a drive piece for retaining a ratchet wheel on which a ratchet wheel socket can be mounted, the recess of the handle being capable of receiving a pivotal portion of the drive piece, and a retaining pin for connecting the handle and the drive piece by being inserted through the axial holes of the ear portions and the pivotal portion of the drive piece, whereby the drive piece can be folded about the retaining pin to change the angular position of the drive piece with respect to the handle; the drive piece has a lock means for switching the rotational direction of the ratchet wheel of the drive piece; as evidenced by the indication ((a circle with a diametrical slot thereon) on the side of the head of Fig. 6 and as evidenced by **Fig. 6 of Hsieh 6,341,543**); the retaining pin (**31**) is provided with a plurality of elongated longitudinal jogs for providing a frictional effect on the drive piece so that the selected angular position can be maintained; and the handle further includes a second drive piece at a second terminal thereof (**Fig. 6**).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1 and 2** are rejected under 35 U.S.C. 102(b) as being anticipated by Parke 4,643,632.

Parke discloses a wrench having: a handle having a recess at a first terminal thereof, an empty space between a pair of ear portion defining the recess, each of the ear portions

being provided with an axial hole, a drive piece for retaining a ratchet wheel on which a ratchet wheel socket can be mounted, the recess of the handle being capable of receiving a pivotal portion of the drive piece, and a retaining pin for connecting the handle and the drive piece by being inserted through the axial holes of the ear portions and the pivotal portion of the drive piece, whereby the drive piece can be folded about the retaining pin to change the angular position of the drive piece with respect to the handle; and the drive piece has a lock means for switching the rotational direction of the ratchet wheel of the drive piece (**Fig. 1**).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hsien in view of Hsieh 6,341,543.

Hsien is described above. Hsien does not specifically disclose that the drive piece has a lock means for switching the rotational direction of the ratchet wheel. Hsieh discloses a ratchet wrench having a lock means for switching the rotational direction of the ratchet wheel so as to engage and disengage screw members. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the

wrench of Hsien to have a lock means for switching the rotational direction of the ratchet wheel as taught by Hsieh so as to engage and disengage screw members.

8. **Claims 3 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Parke in view of Hsien.

Parke is described above. Referring to claim 3, Parke does not specifically disclose the retaining pin having a plurality of elongated longitudinal jogs. Hsien discloses a retaining pin having elongated longitudinal jogs so as to frictionally engage, and thus lock the head of the wrench. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have made the pin of Parke's wrench to have a plurality of elongated longitudinal jogs as taught by Hsein so as to frictionally engage, and thus lock the head of the wrench.

Referring to claim 4, Parke does not specifically disclose the handle having a second drive piece at a second terminal thereof. Hsein discloses a wrench having a second terminal so as to enhance the versatility of the wrench. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have made the wrench of Parke to have a second terminal so as to enhance the versatility thereof.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin J. Grant whose telephone number is (571) 272-4484. The examiner can normally be reached on Mon-Fri 8:00-4:30.

Art Unit: 3723

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Alvin J. Grant". The signature is fluid and cursive, with the first name "Alvin" and last name "Grant" clearly distinguishable.

Alvin J Grant
Patent Examiner
Art Unit 3723

ajg